

State of Vermont Agency of Human Services Department of Corrections	Title: Offender Case Planning (OCP)	Page 1 of 18
Chapter: Programs: Classification & Case Planning	#371.05	Supersedes: #371.05 ORP dated 11/21/07. History of Superseded Documents: #371.05 dated 4/07/03 and 12/30/02; #371.20 dated 12/30/02.
Attachments, Forms & Companion Documents: 1. Initial Harm Statement 2. Offender Case Plan 3. Re-entry Harm Statement 4. Case Planning Template <i>(Not available in Word; a separate InfoPath document.)</i>		
Local Procedure(s) Required: No Applicability: All staff (including contractors and volunteers). Security Level: "B"- Anyone may have access to this document.		
<p style="text-align: center;"> DRAFT 3RD POSTING FOR COMMENT October 13 – October 28, 2011 <u>CLICK HERE TO PROVIDE FEEDBACK</u> </p>		

PURPOSE

The purpose of this administrative directive is to establish standards for the classification, case management, and planning services for offenders. Effective case management will:

- 1) enhance public safety, 2) prepare the offender for successful re-entry into the community, 3) address risk/needs of the offender, 4) support offenders in taking responsibility for their criminal behavior and case plan development, 5) provide opportunities for community involvement, 6) connect offenders to appropriate resources, 7) build upon offender strengths and assets, and 8) require case co-management for incarcerated offenders.

POLICY

It is the policy of the Department of Corrections to effectively engage offenders in the case planning process by encouraging them to assume responsibility for developing their case plan and for the harm and impact their criminal behavior has caused. Offender Case Planning (OCP) reinforces, and focuses community resources on, Department supervision of offenders.

AUTHORITY

28 V.S.A. § 2a; 28 V.S.A. § 721. American Correctional Association, Standards for Adult Correctional Facilities, 4th Edition, 2003, Standard 4-4442. American Correctional Association, Standards for Adult Probation and Parole Field Services, 3rd Edition, August, 1998, Standards 3-3125, 3-3131, 3-3132, and 3-3138.

REFERENCE

Agency of Human Services Four Key Practices. *APA Rule #00-10/Policy #256 Community Notification*; Department of Corrections Administrative Directives #76.05 *Positive Reinforcement*, #254.04 *Case Documentation – Electronic*, #323.01 *Inmate Release Money*, #344.01 *Collaborative Community Supervision*, #371.02 *Facility Case Management*, #371.11 *Level C Performance Expectations*, #371.15 *Conditional Re-entry*, #371.17 *Offender Contact Standards for Field Services Programs*, #501.01 *Restorative Justice Programs*, and #502.01 *Victim Notification – Automated (VANS) & Non-automated*.

DEFINITIONS

Case Co-management: The process by which an assigned facility Caseworker and field office Probation & Parole Officer engage in collaborative decision-making with an offender's case.

Case Management: DOC activities and programs related to offender case planning, community supervision, and custody. It is the collaborative process of classifying, assessing risk and needs, case planning, applying correctional resources and supporting an offender from detention to discharge.

Conditional Re-entry: A furlough by which a sentenced offender is released to the community under supervision at or beyond their minimum release date.

Correctional Services Specialist (CSS): A staff role both in facilities and field offices, also referred to as Caseworker (facility) or Probation/Parole Officer (PO in the field). Field and facility Correctional Services Specialists share responsibility for case co-management for offenders assigned to their caseload.

Criminogenic Need Areas: Offender need areas which are related to criminal conduct and which, when addressed in correctional treatment, reduce the overall or specific risk for recidivism (e.g., substance abuse).

High Risk: Statutorily defined as a high degree of dangerousness that a sex offender poses to others. Dangerousness includes the probability of a sexual reoffense.

“Max-out” Case: An inmate who completes their maximum sentence while incarcerated and is released without any Department supervision.

Needs-reducing Program: A correctional program designed to address an offender's criminogenic need areas with the goal of reducing the risk for reoffense.

Offender Case Plan (OCP) – The Department document that covers offender case planning, case management, and reparative responsibilities. OCP is also the process focused on preparing an offender to re-enter the community, and/or be successful while under community supervision.

Parole: The release of an inmate to the community by the Parole Board before the end of the inmate's sentence, subject to conditions imposed by the Board and subject to the supervision and control of the Commissioner of Corrections.

Pre-approved Furlough (PAF): The legal status in which an inmate is sentenced to serve a term of imprisonment, but is placed by a court on furlough to participate in such programs administered by the Department that reduce the offender's risk to reoffend.

Probation: The legal status a court may impose on a defendant that suspends all or part of the sentence and places the person in the care and custody of the Commissioner of Corrections, upon such conditions and for such time as it may prescribe, in accordance with law, or until further order of the court.

Programs: The Department of Corrections provides a range of treatment programs to address risk related need areas (criminogenic needs) and lower the likelihood of recidivism or further criminal conduct by the offender. Treatment programs are offered to offenders in correctional facilities and Probation and Parole offices. Some examples of correctional programs are as follows:

- *Cognitive Self Change (CSC)* – A Vermont facility and community-based DOC treatment program for offenders convicted of violent offenses.
- *Incarcerative Intensive Domestic Abuse Program (INDAP)* – A Vermont facility-based DOC treatment program for offenders convicted of domestic assault or a domestic-related offense.
- *Intensive Domestic Abuse Program (IDAP)* – A Vermont community-based DOC treatment program for offenders convicted of domestic assault or a domestic-related offense.
- *Intensive Substance Abuse Program (ISAP)* – A Vermont community-based DOC treatment program for offenders convicted of alcohol/drug-related offenses.
- *Vermont Treatment Program for Sexual Abusers (VTPSA)* – A Vermont facility and community-based DOC treatment program for offenders convicted of sexually-related offenses.

Projected Movement Date (PMD): Date and reason which it is projected that an incarcerated inmate will be eligible to be moved to the next phase in the case management plan, or the reasons why the offender is still incarcerated.

Projected Release Date (PRD): The date at which it is projected that an incarcerated offender will be eligible to be released to the community.

Reintegration Furlough (RF): A furlough prior to the minimum sentence to prepare an incarcerated offender for re-entry into the community.

Release Sensitive Notification (RSN) Case: A case in which the Department takes special care in release planning for and the release of an offender and notifies parties who may be concerned before the offender is released. A case is assigned RSN status by the central case staffing team based on field and facility recommendation. Criteria for RSN status include, but are not limited to, LSI scores, victim and community sentiment, media or political notoriety of the offense, and being a listed or Level C offender. This does not pertain to sentenced/detained or detained offenders.

Risk Management Caseload: A caseload of offenders on probation, parole, Supervised Community Sentence, and furlough that, because of severity of offense and risk to re-offend, requires higher supervision and case management services in smaller caseloads.

Supervised Community Sentence (SCS): A court-imposed sentence of incarceration to be served in a community setting subject to the rules of the Commissioner of Corrections. These offenders are under the jurisdiction of the Parole Board.

PROCEDURAL GUIDELINES

1. Philosophy

Effective correctional practices involve the allocation of correctional resources and services based on offender risk to re-offend, offender need areas, sentence length, legal status, and offense severity. The use of standardized risk assessments helps the Department determine which offenders need more services and supervision based on the offender's risk and need, along with the severity of their offense. The primary goal of the DOC is improving public safety by reducing the risk of our offenders and supporting them to become pro-social and law-abiding citizens. For incarcerated offenders, this also includes preparing the offender to re-enter into the community.

2. Offender Case Planning Overview

Effective case planning is a teamwork approach and the core process by which services are organized to promote, support, and guide offender change and by which community safety is enhanced. OCP is grounded in the key AHS practices: client-centered, results-oriented, strength-based, and holistic.

Correctional Services Specialists (CSSs) are needed to support and assist offenders in developing a meaningful case plan according to the conditions of their confinement or supervision, the Department's requirements, and the offender's individual circumstances. The case plan and related processes, including interactions with their CSSs, become the foundation that encourages, guides, and supports offenders in their efforts to become responsible.

OCP is a shared responsibility between the offender, the facility CSS, and the field CSS. For incarcerated offenders the responsibility for developing a comprehensive OCP is

shared by the offender, the facility Caseworker, and Probation Officer. It is important for the facility Caseworker and Probation Officer to successfully engage offenders for successful re-entry into the community. Facility and field CSSs are expected to work together to ensure that the direction of facility and transition case planning is integrated with field case planning needs. This collaborative expectation is called case co-management.

3. Levels of Case Planning Services (OCP) for Offenders

- a. Incarcerated Offenders
 - i. Section 1, *Classification and Facility Expectations (Attachment 4)*, will be completed on all incarcerated offenders serving more than 90 days.
 - ii. All incarcerated offenders who are subject to a mandated needs-reducing program, regardless of sentence length, will receive a full OCP.
- b. Community Supervision- Section 3, *Community Case Plan and Field Expectations (Attachment 4)* of the OCP will be completed on all Risk Management cases.

4. Case Co-management –Facility Cases

(Also see directive #371.02 *Facility Case Management*.)

- a. Two (2) CSSs will be assigned to all sentenced incarcerated offenders: one (Caseworker) from the facility where the offender resides, and one from the field office (Probation Officer) in the sentencing district or where the offender will eventually be supervised.
- b. Although the facility Caseworker will work more closely with the offender while they remain incarcerated, both CSSs share responsibility for ensuring that an offender's case plan is complete, related to risk-reduction, and adequately identifies areas of need.
- c. Case co-management ends, and the Probation Officer assumes responsibility for case planning services, when an offender is released from a correctional facility to some form of community supervision.
- d. In the event that the case co-managers disagree, the issue will be referred to the field Casework Supervisor and the facility Living Unit Supervisor. If the dispute cannot be resolved at this level, the District Manager and Superintendent will be notified. If the District Manager and Superintendent cannot agree on a resolution, they will contact the Director of Community Corrections, Re-entry, and Classification to resolve the issue. However, it is expected that any issues can be resolved at the local level.

5. Offender Case Plan Components

- a. Section 1 - *Classification and Facility Expectations (Part I of Attachment 4)*
This section is to be completed at intake by the assigned facility CSS for all sentenced inmates serving 90 days or more.

b. *Initial Harm Statement (Attachment 1)*

This section will be completed by the inmate during the intake process. If the inmate has issues with reading and writing, the CSS should assist the inmate in completing this section.

c. *Offender Responsibility Plan (Attachment 2)*

- i. This section will be completed by the inmate prior to the Section 2 - Transition and Re-entry Plan meeting between the inmate and the field and facility CSSs. If the inmate has issues with reading and writing, the facility CSS should assist the inmate in completing this section.
- ii. After the inmate has completed this form, the facility CSS will review it with the inmate to see if any changes need to be made. If necessary, the facility CSS should work with the inmate to help identify a residence, community supports, resources, etc.
- iii. After this form is completed, the facility CSS will forward a copy to the field CSS and set up a meeting or other means of communication (e.g., phone conference) to work on Section 2 of the OCP.

d. *Section 2 - Transition and Re-entry Plan (Attachment 4)*

- i. Section 2 requires a meeting between the inmate, the facility CSS, and the field CSS. This meeting will be coordinated by the facility CSS as noted above.
 - a) The purpose is to prepare the inmate for release and to introduce the field CSS and the inmate. This meeting will focus on identifying acceptable housing, obstacles and barriers to release, review of the *Offender Responsibility Plan*, community supports, programming progress and/or needs, community resources available to the inmate, field case planning and field supervision expectations.
 - b) The facility CSS will assist the inmate to make initial contact with identified community resources and to set up appointments for the inmate within 30 days of their release to the community.
 - c) Case plans will be updated as circumstances change with the case.
 - d) Intake appointments and referrals for community resources that have been identified in the *Transition and Re-entry Plan* will be in place within 30 days of release.
- ii. Section 2 will be completed on all inmates 180 days prior to their earliest release date except for those listed in ii. c. below.
 - a) For inmates who are RF-eligible this will occur one (1) year prior to their minimum.
 - b) For inmates not eligible for RF, this will occur 180 days prior to release.
 - c) Certain inmates will need more time to prepare for re-entry. For the group listed below, the *Transition and Re-entry Plan*

will occur at least one (1) year prior to the earliest projected release date. Those inmates are:

- 1) Convicted sex offenders;
- 2) Offenders who will be difficult to transition to the community due to mental health reasons (SFI);
- 3) Inmates designated RSN;
- 4) Inmates designated Level C.

e. Section 3 - Community Case Plan and Expectations (Attachment 4)

- i. This section will be completed by the field CSS within thirty (30) days of intake on all offenders under Risk Management Supervision.
- ii. This part of the case plan will address mandatory programming and legal requirements, as well as risk/needs of the offender. Any risk/need area that scores 50% or greater on the LSI-R must be addressed in this case plan.
- iii. The *Community Case Plan* is a fluid document and should be updated and modified as circumstances change with the offender. This part of the case plan should be reviewed and updated no less than every 90 days. The CSS will document each review, highlighting any changes, in the electronic database.

f. Re-entry Harm Statement (Attachment 3)

This section will be completed by the offender during the initial meeting with the field CSS following release to the community. If the offender has issues with reading and writing, the CSS should assist the offender in completing this section.

6. Case Planning Requirements for Furlough Violators

When an offender is returned to a facility for violating a condition of furlough, case planning requirements will be determined by the following:

- a. If the offender is returned on a graduated sanction, or after a case staffing their furlough is interrupted for 90 days or less, the field CSS will review and update as necessary Section 3 - *Community Case Plan and Field Expectations*.
- b. If the offender has had a case staffing and their furlough is interrupted for 90 days or more, the offender will complete a new offender case plan. The case co-managers will review and update section 2 - *Transition and Re-entry Plan* with the offender. The field CSS will review and update Section 3 - *Community Case Plan and Field Expectations*, and have the offender complete a new *Re-entry Harm Statement* as necessary.
- c. If the offender is convicted of a new offense, or has had a case staffing which results in a mandated program needing completion, staff must start the case planning process from the beginning, starting with Section 1 - *Classification and Facility Expectations*.

7. Case Management Time Lines Summary: Below is a timeline for important case management activities.

- 5 business days after sentencing
 - Intake, Assessment, Classification, and Admission
 - CSS Meeting
 - Initial Case Co-Management Review between field and facility CSS
 - Section 1 *Classification and Facility Expectations* of the OCP.
- 5 business days after arrival at facility
 - Initial CSS Meeting
- 1 year prior to Projected Release Date
 - Case Co-Management review between the assigned CSSs and the inmate
 - Section 2 *Transition and Re-entry Plan* for RSN, Level C, Sex Offenders, and SFI inmates
- 180 days prior to Projected Release Date
 - Section 2 *Transition and Re-entry Plan*
 - Case Co-Management meeting with assigned CSSs and the inmate
 - Initial residence screen
- 90 days prior to Projected Release Date
 - Initial Residence screen for approval
- 30 days prior to Projected Release Date
 - Case Co-Management meeting with assigned CSSs and the inmate
 - Physical residence check by field office

TRAINING

1. It is the responsibility of the Director of Community Corrections, Re-entry and Classification/designee, in collaboration with the Director of Facilities Operations, the Director of Human Resource Development, facility Superintendents, and District Managers, to ensure that all relevant staff are trained in this directive.
2. Local Managers will be responsible to train new staff who have not received the initial directive training.

QUALITY ASSURANCE

1. All Facility Superintendents and District Managers are responsible for compliance with policy, directive, and procedures regarding the custody of inmates and supervision of offenders in the community.
2. All relevant staff will use practices in compliance with policy, directive, and procedures regarding the custody of inmates and supervision of offenders in the community.
3. In keeping with best practice, the Quality Assurance Division will monitor for compliance with this directive. To assist with quality controls at the local level, database supports will be explored to assist in identifying plans, pending completion at various stages of the process. In the absence of available database supports, the QA Division will conduct random audits to determine compliance.

**ATTACHMENT 1 - SAMPLE
INITIAL HARM STATEMENT**

Name _____ **PID/DOB** _____

Date _____

Where will you live upon release? _____

What harm have you caused any person or your community?

Write a brief apology to your victim(s) or community.

How do you intend to make amends to those you have harmed?

What activities will you participate in while incarcerated to help you reduce non-compliant/risk-related behaviors?

Offender Signature/Date _____

**ATTACHMENT 2 – SAMPLE
OFFENDER RESPONSIBILITY PLAN**

Name _____ **PID** _____ **Date** _____

Where will you live upon release?

Who lives at that residence?

Who will be a positive support people for you upon release?

What will you use for transportation?

What will you do for employment?

What harm have you caused any person or your community?

Write a brief apology to your victim(s) or community.

When released, how do you intend to make amends to those you have harmed?

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430 **What activities will you participate in to help you not reoffend?**

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437 **What do you see as risks and how will you overcome the risks while in the**
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445 **Who/What are the people, places, and things you must avoid in the community in**
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453 **Identify your strengths and personal assets.**

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460 **Identify what you have done, learned, or reflected upon while incarcerated that will**
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(Offender Signature/Date)

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ATTACHMENT 3 – SAMPLE

RE-ENTRY HARM STATEMENT

Name _____ **PID** _____

Date _____

What harm have you caused any person or your community?

Write a brief apology to your victim(s) or community.

How do you intend to make amends to those you have harmed?

What activities will you participate in while incarcerated to help you reduce non-compliant/risk-related behaviors?

ATTACHMENT 4 – SAMPLE

**CASE PLANNING TEMPLATE
(SEPARATE DOCUMENT – NOT IN WORD)**

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